## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

NICHIA CORPORATION,

Plaintiff,

Plaintiff,

CASE NO. 2:13-CV-702-JRG

V.

EVERLIGHT ELECTRONICS CO., LTD.,

EVERLIGHT AMERICAS, INC., ZENARO

LIGHTING, INC. and ZITROZ LLC,

Defendants.

## **ORDER**

Before the Court is Nichia Corporation's Motion to Seal Trial Testimony and Trial Exhibits (Dkt. No. 180). The Court hereby **DENIES-IN-PART** and **GRANTS-IN-PART** the Motion for the reasons set forth below.

During a conference in chambers held prior to trial, the Court gave counsel for all the Parties explicit instructions regarding how the Court would handle any confidentiality concerns raised at trial by the Parties. The Parties were told that, in lieu of post-trial redaction through motion, the Court directs that the Parties should seek leave to request that the courtroom be sealed during those portions of the trial that they deemed might contain confidential information. The Parties were informed that such is this Court's established custom and practice. Further, the Parties were notified that any request for post-trial redaction would only be granted in the event personal identifiers, such as social security numbers and/or driver's license numbers were somehow made a part of the record. During trial, both Parties took advantage of these instructions and sought and received leave to seal the courtroom at various times during trial.

However, for some unexplained reason, Plaintiff is now requesting the redaction of information

that are not personal identifiers, but rather are exactly the type of information for which Plaintiff

could have dealt with by requesting that the Court seal the courtroom during that portion of the

trial—particularly since the testimony was elicited during Plaintiff's own direct examination of

the witness. Accordingly, because Plaintiff's request is in direct contravention to the specific

instructions of this Court, Plaintiff's request as to the trial testimony is **DENIED**. However, the

Court determines that there is good cause for and GRANTS the sealing of the following trial

exhibits: PTX 811, PTX 813, PTX 669, PTX 672, PTX 807, PTX 678, PTX 681, PTX 677, PTX

689, PTX 682, PTX 684, PTX 685, PTX 687, PTX 814, and PTX 816.

So ORDERED and SIGNED this 3rd day of August, 2015.

RODNEY GILSTRAP

UNITED STATES DISTRICT JUDGE